

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

BARBARA BEAM,

Plaintiff,

v.

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Defendant.

CIVIL NO. 1:08CV472

ORDER

THIS MATTER is before the Plaintiff's motion for costs under the Equal Access to Justice Act, 28 U.S.C. § 2412, in the amount of \$350.00. The Defendant has responded to the Plaintiff's motion and will not oppose the relief sought, as long as the payment is made from the Judgment Fund rather than by the Social Security Administration. *See* **31 U.S.C. § 1304**.

For the reasons stated in the motion and Defendant consenting to the relief sought,

IT IS, THEREFORE, ORDERED that the Plaintiff's motion is **GRANTED**, and Plaintiff is hereby awarded \$350.00 in costs.

IT IS FURTHER ORDERED that such payment shall be made from the Judgment Fund rather than by the Social Security Administration, and is in full settlement and satisfaction of any and all claims for attorney fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

Signed: March 5, 2009



Lacy H. Thornburg
United States District Judge

